

IC 10-17

ARTICLE 17. VETERANS' AFFAIRS

IC 10-17-1

Chapter 1. Indiana Veterans' Affairs

IC 10-17-1-1

Purpose of chapter

Sec. 1. The purpose of this chapter is to create a department with full authority to aid and assist veterans of the armed forces of the United States entitled to benefits or advantages provided on or after March 3, 1945, by the United States, the state, or another state or government.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-2

Establishment of department

Sec. 2. (a) The Indiana department of veterans' affairs is established. The:

- (1) department;
- (2) commission of veterans' affairs;
- (3) director of veterans' affairs;
- (4) county and city officers; and
- (5) assistants and employees of persons described in subdivisions (1) through (4);

acting under the supervision of and under the rules of the department may act at the request of any veteran of the armed forces or a veteran's spouse, surviving spouse, or dependent as necessary or reasonably incident to obtaining or attempting to obtain for the person making the request any advantage, benefit, or compensation accruing, due, or believed to be accruing or due to the person under any law of the United States, Indiana, or any other state or government by reason of the service of the veteran in the armed forces of the United States.

(b) The:

- (1) veterans' affairs commission shall supervise and control the department; and
- (2) director of veterans' affairs shall administer the department under the commission's supervision and control;

as provided in this article.

(c) The domicile of the department is in Indianapolis. Suitable offices and quarters shall be provided in Indianapolis.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-3

Veterans' affairs commission established

Sec. 3. (a) There is established a veterans' affairs commission. The commission consists of four (4) members appointed by the governor for four (4) year terms. However, terms of office of commission members terminate with the term of office of the governor or when

successors are appointed and qualified. Members of the commission must be honorably discharged veterans who have had at least six (6) months service in the armed forces of the United States and are citizens of the United States and Indiana. Not more than two (2) members of the commission may be:

- (1) active members of the same veterans' organization; or
- (2) members of the same political party.

Vacancies in the commission must be filled by the governor, and the appointees shall serve for the remainder of the term of office of the original appointee. Each member of the commission before entering upon the member's duties shall take and subscribe an oath that the member will support the Constitution of the United States and the Constitution of the State of Indiana and will faithfully discharge all the duties devolving upon the member as a member of the commission.

(b) Members of the commission shall each be paid ten dollars (\$10) for each day devoted to the work of the commission but not more than one thousand dollars (\$1,000) each in any one (1) fiscal year. Members are also entitled to reimbursement for necessary traveling and other expenses.

(c) The commission shall elect annually one (1) commission member as chairperson. The:

(1) principal office of the commission must be maintained in Indianapolis in space:

- (A) provided by the proper state officials; or
- (B) rented or otherwise provided if suitable space cannot be obtained in state buildings;

(2) records of the commission must be maintained in the principal office; and

(3) regular meetings of the commission must be held at the principal office unless the chairperson finds it is necessary or convenient in the performance of the duties of the commission to meet at some other place in Indiana.

At least one (1) regular meeting must be held per quarter. Special meetings may be held at times and places specified by the call of the chairperson, a majority of the commission, or the governor. Notice of the date, time, and place of meetings must be given in person or by mail by the director of veterans' affairs. A majority of the members of the commission constitutes a quorum for the transaction of business. The director of veterans' affairs shall act as secretary of the commission and shall keep adequate records and minutes of the commission's business and official actions.

(d) The governor may remove any member of the commission if the governor considers the member to be guilty of misconduct, incapability, or neglect of duty.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-4

Powers of commission

Sec. 4. The commission may do acts necessary or reasonably

incident to the fulfillment of the purposes of this chapter, including the following:

- (1) Adopt rules under IC 4-22-2 to administer this chapter.
- (2) Advise the veterans' state service officer in problems concerning the welfare of veterans.
- (3) Determine general administrative policies within the department.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-5

Director of commission

Sec. 5. (a) The position of director of veterans' affairs is established. The governor shall appoint the director for a four (4) year term. However, the term of office of the director terminates when the term of office of the governor terminates or when a successor to the director is appointed and qualified. The director must be:

- (1) an honorably discharged veteran who has at least six (6) months service in the armed forces of the United States; and
- (2) a citizen of Indiana and a resident of Indiana for at least five (5) years immediately preceding the director's appointment.

(b) The director is entitled to reimbursement for necessary traveling and other expenses.

(c) The governor may remove the director if the governor considers the director guilty of misconduct, incapability, or neglect of duty.

(d) The governor shall appoint an assistant director of veterans' affairs. The assistant director is entitled to receive reimbursement for necessary traveling and other expenses. The assistant director has the same qualifications as the director of veterans' affairs and shall assist the director in carrying out this chapter.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-6

Duties of director

Sec. 6. (a) The director of veterans' affairs:

- (1) is the executive and administrative head of the department of veterans' affairs; and
- (2) shall direct and supervise the administrative and technical activities of the department;

subject to the general supervision of the commission.

(b) The duties of the director include the following:

- (1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.
- (2) To appoint, by and with the consent of the commission, under this chapter and notwithstanding IC 4-15-2, the employees of the department necessary to carry out this chapter and to fix the compensation of the employees. Employees of the department must be:

- (A) honorably discharged veterans who have had at least six

- (6) months service in the armed forces of the United States and who are citizens of the United States and Indiana; or
- (B) spouses, surviving spouses, parents, or children of an individual described in clause (A).

An employee must qualify for the job concerned.

- (3) To carry out the program for veterans' affairs as directed by the governor and the commission.
- (4) To carry on field direction, inspection, and coordination of county and city service officers as provided in this chapter.
- (5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.
- (6) To maintain an information bulletin service to county and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work.
- (7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-7

Director as agent of a veteran

Sec. 7. The director of veterans' affairs may act as agent of a veteran under a power of attorney authorizing the director to act on behalf of the veteran in obtaining a benefit or an advantage provided under Indiana law.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-8

Commission contracts with the United States

Sec. 8. The commission may adopt rules necessary to:

- (1) obtain benefits under present and future enactments of the Congress of the United States concerning veterans' affairs; and
- (2) enter into on behalf of the state contracts or agreements with the government of the United States to receive benefits under present and future federal enactments concerning veterans' aid and benefits.

A contract or agreement entered into under subdivision (2) must first be approved by the governor and attorney general.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-9

County service officer, city service officer, and assistants

Sec. 9. (a) A county executive:

- (1) shall designate and may employ a county service officer; and
- (2) may employ service officer assistants;

to serve the veterans of the county.

(b) The fiscal body of a city may provide for the employment by the mayor of a city service officer and service officer assistants to

serve the veterans of the city.

(c) If the remuneration and expenses of a county or city service officer are paid from the funds of the county or city employing the service officer, the service officer shall:

- (1) have the same qualifications and be subject to the same rules as other employees of the department of veterans' affairs; and
- (2) serve under the supervision of the director of veterans' affairs.

(d) County and city fiscal bodies may appropriate funds necessary for the purposes described in this section.

As added by P.L.2-2003, SEC.8.

IC 10-17-1-10

Training courses; service officers

Sec. 10. A county or city service officer shall, in the discretion of the director of veterans' affairs, undergo a course of training to adequately address problems of discharged veterans in the service officer's county or city, including a thorough familiarization with laws, rules, and regulations of the federal government and the state that affect benefits to which the veterans and dependents of the veterans are entitled.

As added by P.L.2-2003, SEC.8.